

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JAMAAL LLOYD and ANASTASIA JENKINS,	:	22cv4129 (DLC)
	:	
Plaintiffs,	:	<u>ORDER</u>
	:	
-v-	:	
	:	
ARGENT TRUST COMPANY et al.,	:	
	:	
Defendants.	:	
	:	
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DENISE COTE, District Judge:

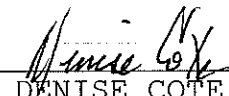
On July 18, 2025, the plaintiffs moved to seal materials they filed on that day in support of their motion for class certification. Those materials have been designated as confidential by the defendants.

"A judicial document or judicial record is a filed item that is relevant to the performance of the judicial function and useful in the judicial process." Bernstein v. Bernstein Litowitz Berger & Grossmann LLP, 814 F.3d 132, 139 (2d Cir. 2016) (citation omitted). "Such documents are presumptively public so that the federal courts have a measure of accountability and so that the public may have confidence in the administration of justice." Id. (citation omitted). The weight of the common law presumption of access "is a function of (1) the role of the material at issue in the exercise of Article III judicial power and (2) the resultant value of such information

to those monitoring the federal courts, balanced against competing considerations such as the privacy interests of those resisting disclosure.” Id. at 142 (citation omitted). “The locus of the inquiry is, in essence, whether the document is presented to the court to invoke its powers or affect its decisions.” Id. (citation omitted). A document may not be sealed or redacted simply because it contains material that is captured by a confidentiality agreement. See Lugosch v. Pyramid Co. of Onandaga, 435 F.3d 110, 126 (2d Cir. 2006). Accordingly, it is hereby

ORDERED that the defendants shall by July 25, 2025 identify any of the materials filed in connection with the plaintiffs’ motion for class certification that they request remain sealed or any requested redactions to those materials, along with the reasons for those requests. Any such requests shall be made in a manner that is compliant with the Southern District of New York ECF Rules and Instructions, Section 6, and this Court’s Individual Practices, Section 8(B).

Dated: New York, New York
July 23, 2025



DENISE COTE
United States District Judge